

Federal Aviation Administration, DOT

§ 63.15

the same kind of certificate for 1 year after the date of revocation.

(Secs. 313, 601, 602, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354, 1421, and 1422); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); Title V, Independent Offices Appropriations Act of 1952 (31 U.S.C. 483(a)); sec. 28, International Air Transportation Competition Act of 1979 (49 U.S.C. 1159(b)))

[Doc. No. 1179, 27 FR 7969, Aug. 10, 1962, as amended by Amdt. 63-3, 30 FR 14559, Nov. 23, 1965; Amdt. 63-7, 31 FR 13523, Oct. 20, 1966; Amdt. 63-22, 47 FR 35693, Aug. 16, 1982]

§ 63.12 Offenses involving alcohol or drugs.

(a) A conviction for the violation of any Federal or state statute relating to the growing, processing, manufacture, sale, disposition, possession, transportation, or importation of narcotic drugs, marihuana, or depressant or stimulant drugs or substances is grounds for—

(1) Denial of an application for any certificate or rating issued under this part for a period of up to 1 year after the date of final conviction; or

(2) Suspension or revocation of any certificate or rating issued under this part.

(b) The commission of an act prohibited by § 91.17(a) or § 91.19(a) of this chapter is grounds for—

(1) Denial of an application for a certificate or rating issued under this part for a period of up to 1 year after the date of that act; or

(2) Suspension or revocation of any certificate or rating issued under this part.

[Doc. No. 21956, 50 FR 15379, Apr. 17, 1985, as amended by Amdt. 63-27, 54 FR 34330, Aug. 18, 1989]

§ 63.12a Refusal to submit to an alcohol test or to furnish test results.

A refusal to submit to a test to indicate the percentage by weight of alcohol in the blood, when requested by a law enforcement officer in accordance with § 91.11(c) of this chapter, or a refusal to furnish or authorize the release of the test results when requested by the Administrator in accordance with § 91.17 (c) or (d) of this chapter, is grounds for—

(a) Denial of an application for any certificate or rating issued under this part for a period of up to 1 year after the date of that refusal; or

(b) Suspension or revocation of any certificate or rating issued under this part.

[Docket No. 21956, 51 FR 1229, Jan. 9, 1986, as amended by Amdt. 63-27, 54 FR 34330, Aug. 18, 1989]

§ 63.12b Refusal to submit to a drug or alcohol test.

(a) This section applies to an employee who performs a function listed in appendix I or appendix J to part 121 of this chapter directly or by contract for a part 121 certificate holder, a part 135 certificate holder, or an operator as defined in § 135.1(c) of this chapter.

(b) Refusal by the holder of a certificate issued under this part to take a drug test required under the provisions of appendix I to part 121 or an alcohol test required under the provisions of appendix J to part 121 is grounds for—

(1) Denial of an application for any certificate or rating issued under this part for a period of up to 1 year after the date of such refusal; and

(2) Suspension or revocation of any certificate or rating issued under this part.

[Amdt. 63-29, 59 FR 7389, Feb. 15, 1994]

§ 63.13 Temporary certificate.

A certificate effective for a period of not more than 120 days may be issued to a qualified applicant, pending review of his application and supplementary documents and the issue of the certificate for which he applied.

[Doc. No. 1179, 27 FR 7969, Aug. 10, 1962, as amended by Amdt. 63-19, 43 FR 22639, May 25, 1978]

§ 63.15 Duration of certificates.

(a) Except as provided in § 63.23 and paragraph (b) of this section, a certificate or rating issued under this part is effective until it is surrendered, suspended, or revoked.

(b) A flight engineer certificate (with any amendment thereto) issued under § 63.42 expires at the end of the 24th month after the month in which the